

Marcus Associates

Patents • Trade Marks • Designs • Copyrights
Patent & Trade Mark Agents



#11

Martin J. Marcus • Associates: T. Adams, Achmed N. Sadik

Suite #309—225 Metcalfe St., Ottawa, Ontario • Post Office Box 8721, Station "T", Ottawa, Ontario, Canada K1G 3J1

Tel: (613) 232-2685 • Fax: (613) 232-8702

October 15, 1999

520 Rec'd PCT/PTO 15 OCT 1999

United States Department of Commerce
Patent and Trademark Office

RECEIVED

Assistant Commissioner of Patents
Box PCT
Washington, D.C. 20231
U.S.A.

17 MAR 2000

Legal Staff
International Division

Attention: PCT Legal Office

10/21/1999 P VOLPE } 00000110 08765584

01 FC:241	605.00	OP
02 FC:154	130.00	OP
03 FC:215	55.00	OP

Re: In re Application of
KUBISIAK et al

Application No.: 08/765,584

PCT No.: PCT/EP95/01985

Int. Filing Date: 26 May 1995

Priority Date: 20 June 1994

06/09/2000 P VOLPE 00000110 08765584 Docket No.: PORT012

For: DETECTOR FOR A MEASURING APPARATUS
Adjustment date: 06/09/2000 P VOLPE 10/21/1999 P VOLPE 00000110 08765584
01 FC:254 55.00 OP 02 FC:154 130.00 OP
02 FC:156 130.00 OP 03 FC:215 55.00 OP
03 FC:248 55.00 OP -130.00 OP -55.00 OP

RENEWED PETITION UNDER 37 CFR 1.137

Sir:

This is further to the Dismissal of our Petition Under 37 CFR 1.181 dated 24 SEPT 1999 for which a reply is due to be filed before 24 NOV 1999.

Applicant respectfully requests reconsideration of this petition and applicant wishes to convert this petition into a Petition to Revive this application under 37 CFR 1.137(b).

Petitioner hereby states that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.

By the letter dated Sept 24, 1999, the petitions under 37 CFR 1.137(a) and (b) were DISMISSED without prejudice for the reasons that applicants had not satisfied any of the following requirements of 37 CFR 1.137(b):

(1) the required reply; (2) the requisite petition fee; (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d) required pursuant to 37 CFR 1.137(c).

It is believed that the present Renewed Petition Under 37 CFR 1.137 should now be granted since the following are submitted herewith:

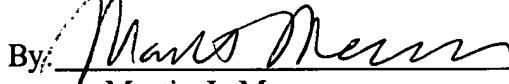
- (1) A copy of a literal English translation of the PCT application on pages 1 to 7 and claims 1 to 13 on pages 8 to 10 and drawings, on two sheets of FIG. 1, FIG. 2 and FIG. 3, along with a copy of the German language specification PCT/EP95/01985 likewise on pages 1 to 7, claims 1 to 13, likewise on pages 8 to 10 and likewise two sheets of drawings of FIG. 1, FIG. 2 and FIG. 3;
- (2) A cheque in the amount of \$605.00 (as a small entity) which is the requisite petition fee for a petition under 37 CFR 1.137(b);
- (3) The statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional has been included;
- (4) A terminal disclaimer, along with a cheque in the amount of \$55.00 (as a small entity) as set forth in 37 CFR 1.20(a); and
- (5) A cheque of \$130.00 for the processing fee as required by 37 CFR 1.492(f).

A single cheque in the amount of \$790.00 is attached.

It is submitted that this petition under 37 CFR 1.137(b) should be granted.

Respectfully

HELMUT KUBISIAK

By: 

Martin J. Marcus
Reg. 18,823

MARCUS & ASSOCIATES
P.O. Box 8721, Station "T"
Ottawa, Ontario, Canada
K1G 3J1